

## REMARKS

Claims 1-16 are pending in the application. Claims 3-16 are objected to. Claims 1 and 2 are rejected.

### IDS

It is respectfully requested the IDS filed on March 14, 2002 together with the references be considered. Although the Office Action asserts the relevancy of the references has not been included, applicant respectfully disagrees. The third paragraph of the "INFORMATION DISCLOSURE STATEMENT" document states the annexed abstract state the relevancy of the documents.

### DRAWINGS

Enclosed are substitute formal figures 29-33 with a designation prior art. No new matter is entered.

### PRIOR ART REJECTION

Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Okanoue et al. (U.S. 5, 701,333).

Applicant's claimed invention includes a weighting unit provided for each path. The weighting unit monitors whether a prescribed signal component of a direct wave or delayed wave that arrives via an assigned path is below a set level (breakpoint level).

If the prescribed signal component is below the breakpoint level, the weighting unit applies weighting, which conforms to the level of said signal component, to an output signal. Then, a combiner combines a signal output from the weighting unit of each of the paths and outputs the combined signal.

Okanoue discloses a weighting factor producing circuit 88, however this circuit differs from the weighting unit of applicant's claimed invention.

Described in Okanoue, the weighting factor producing circuit 88 digital-samples an antenna-received signal in a predetermined period and will find maximum and minimum values among n number of the digital samples for every diversity antenna 51-52. The circuit 88 computes the difference between the maximum and minimum values and compares the difference and a set value for every diversity antenna 51-52. Then, the circuit 88 determines a weight that is 1 or 0 in accordance with which is larger for every diversity antenna.

Each multiplying circuit 87 multiples the digital samples by the weight and an adding circuit adds the weighted digital samples of each diversity antenna and output the results.

In contrast to Okanoue, in applicant's claimed invention, the weighting unit is provided for each path. However in Okanoue, the weighting factor producing circuit is provided in common for the diversity antennas.

In applicant's claimed invention, the weighting unit monitors whether a prescribed signal component of a direct wave or delayed wave that arrives via an assigned path is below a set level (breakpoint level). If the prescribed signal component is below the breakpoint level, the weighting unit applies weighting, which conforms to the level of said signal component, to an output signal.

But, Okanoue teaches a different function where the weighting factor producing circuit 88 computes a difference between the maximum and minimum values and compares the difference and a set value for every diversity antenna. Then, the circuit 88 determines a weight that is 1 or 0 in accordance with which is larger for every diversity antenna.

In applicant's claim 1, the value of the weight coefficient is smaller than 1 and conforms

to the level of the signal component. In contrast to applicant's claimed invention Okanoue teaches the weight is 0 or 1 which is determined by comparison of the difference and a set value.

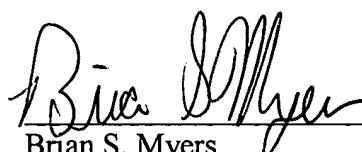
Because of applicant's claimed features, a valid path can be rescued and, moreover, an invalid path can be excluded by reducing the weighting of a path that has no valid path likeness. This makes it possible to improve sensitivity and receiver performance.

It is respectfully submitted that Okanoue does not teach the claimed features of claim 1 and the rejection should be withdrawn. Claim 2 depends from claim 1 and is likewise should be allowed for at least the foregoing reasons and because claim 2 recites additional distinguishing features.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



\_\_\_\_\_  
Brian S. Myers  
Reg. No. 46,947

**CUSTOMER NUMBER 026304**

Katten Muchin Zavis Rosenman  
575 Madison Avenue  
New York, NY 10022-2585  
(212) 940-8703  
Docket No.: FUSA 19.444 (100807-00064)  
BSM:fd